

Southeast Idaho **UPDATE**



EPA's Newsletter for the Pocatello and Fort Hall Areas

THE ENVIRONMENTAL PROTECTION AGENCY (EPA), SHOSHONE-BANNOCK TRIBES, IDAHO DEPARTMENT OF Environmental Quality, and local governments all share the responsibility for protecting the quality of land, water, and air in southeast Idaho. EPA periodically publishes this newsletter to help keep you informed about the work we are doing in your area.



*Governor Kempthorne discusses the Idaho Optimum Initiative at FMC.
From left: Paul Yochum, FMC; John Bartholomew, FMC; Ray Burstedt, IOI; Dirk Kempthorne, Governor .*



New \$38,000 grant to support Idaho Optimum Initiative

EPA HAS AWARDED THE BANNOCK DEVELOPMENT CORPORATION, A NON-PROFIT CORPORATION, A \$38,000 grant to help the Idaho Optimum Initiative (IOI) find a new use for the former FMC property. A primary goal of the grant is to help bring the public into the decision-making process for the redevelopment. Part of the grant will be used to create a website for the public and prospective businesses.

The site will allow you to find information about the redevelopment process and help prospective businesses learn about the property and potential permitting requirements.

(continued on page 2)

ALSO IN THIS ISSUE

Eastern Michaud Flats gets a "One Cleanup" approach	2
EPA will study former operating areas at FMC	2
-Timeline for FMC cleanup	3
IDEQ, EPA take closer look at Union Pacific Railroad site	3
Contact Us	3
EPA, Shoshone-Bannock Tribes take steps to improve communication . . .	4
-EPA's federal trust responsibility to Indian Tribes	4

Grant supports Idaho Optimum Initiative

continued

A major portion of the funds will be used to involve, educate, and get input from the Tribes and the local communities. This process will become the foundation of a master plan for redeveloping the site.

In January of 2003, **Governor Dirk Kempthorne** created the Idaho Optimum Initiative to recommend a strategy for redeveloping the FMC property. The IOI is made up of industry representatives, Tribal and local government officials, and other interested parties. EPA's local representative, **Sue Skinner**, was invited to participate to help ensure that redevelopment options are compatible

with cleanup strategies for the site, and permitting requirements for new development are understood.

The group was originally given six months to develop a strategy, but the Governor recently granted a one-year extension to develop a master plan.

"For anything meaningful to occur, there has to be community involvement."

Mark Masarik,
EPA's FMC Coordinator



Eastern Michaud Flats gets a "One Cleanup" approach

The Eastern Michaud Flats Superfund Site has been selected as a pilot for EPA's One Cleanup Program. This program is EPA's vision for how we can work smarter within our organization to improve cleanups at the nation's contaminated sites.

FMC, which is part of Eastern Michaud Flats, is a complex site that is regulated under two major federal laws: Superfund and the Resource Conservation and Recovery Act (RCRA). Sites like this would usually be coordinated by two EPA project managers who are specialists in a particular cleanup program—in this case, one for Superfund and one for RCRA.

At Eastern Michaud Flats, we were able to take advantage of cross-trained staff and to assign

one project manager with experience in multiple cleanup programs. This helps improve communication with our cleanup partners, leading to a more timely and cost-effective cleanup.

"All of our different cleanup programs have to work together better, using the best thinking, the best technologies, the best information, the best measures of success. That's what the One Cleanup Program is all about."

Marianne Horinko,
EPA Assistant Administrator

EPA will study former operating areas at FMC

FMC has agreed to conduct an environmental investigation of former plant operating areas. These areas were not previously evaluated at the time of EPA's original site investigation.

The legal agreement between EPA and FMC, called an Administrative Order on Consent, establishes a schedule for additional sampling and analysis work. This is referred to in Superfund terms as a *Supplemental Remedial Investigation and Feasibility Study* (or Supplemental RI/FS), because it is supplemental to the original RI/FS completed for the site in 1996.

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EPA will study areas at FMC *continued*

The Supplemental RI/FS is expected to be finished by summer 2006. During this time, EPA's site team will be busy receiving, reviewing, and analyzing information from the study, and evaluating cleanup options, if necessary. If additional cleanup is required, it will be described in a "Proposed Plan" that includes EPA's recommendations for cleanup.

The public will have an opportunity to learn about and comment on the Proposed Plan before we make any final decisions. Meanwhile, EPA will provide updates in this newsletter throughout the Supplemental RI/FS process. In addition, you are always welcome to contact us for more information about the cleanup process at the phone numbers or email addresses listed below.

TIMELINE FOR FMC CLEANUP

FMC agrees to conduct Supplemental RI/FS. November 2003
Supplemental RI/FS completed June 2006
Proposed Plan available for public comment August 2006
Draft amendment to 1998 Record of Decision proposed by EPA January 2007

IDEQ, EPA take a closer look at Union Pacific Railroad site

The Idaho Department of Environmental Quality (IDEQ) asked EPA to conduct an environmental assessment of the Union Pacific Railroad "hump yard" and other railroad facilities after receiving several reports about possible environmental contamination.

The preliminary assessment was completed last spring. Based on the results, we recommended a more extensive investigation of the site, including soil and groundwater testing.

IDEQ will have oversight of the investigation, and Union Pacific Railroad will be required to conduct the work. The scope of work is currently being developed. The work itself is expected to begin later this fall.

For more information or to get a copy of EPA's preliminary assessment, please contact **Sue Skinner** (see below) or **Ken Marcy** in our Seattle office at 1-800-424-4372.



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for information about EPA activities in the Northwest: www.epa.gov/r10earth

EPA, Shoshone-Bannock Tribes take steps to improve communication

EPA and the Shoshone-Bannock Tribes have established a formal process for sharing information and communicating about environmental protection issues that affect the Fort Hall Reservation. The agreement outlines expectations and responsibilities related to staff coordination, formal consultation, decision-making, and other interactions.

This kind of agreement, known as a Memorandum of Understanding, is common between governments and serves as a useful tool for working together. We are pleased to continue to strengthen our government-to-government relationship with the Shoshone-Bannock Tribes.

EPA's federal trust responsibility to Indian Tribes

EPA, along with other federal agencies, maintains a "federal trust responsibility" to Indian Tribes. This trust responsibility requires the federal government to consider the best interests of Tribes when working with them and making decisions that affect them. It also includes protection of the sovereignty of each tribal government.

The federal trust responsibility was not created by a single document nor is its scope defined in any one place. Rather, it reflects the unique legal and political relationship between the federal government and Indian Tribes that arises from treaties, laws, executive orders, and historical relations.

An important part of EPA's trust responsibility is "government-to-government" consultation about environmental issues. EPA works together with Tribes to reach consensus on important issues. Where differences exist, we strive to reach decisions that balance tribal positions, interests, and concerns with the responsibilities of the Agency.

*SOUTHEAST IDAHO UPDATE
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